

Message Text

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ACTION ARA-20

INFO OCT-01 ISO-00 CPR-02 L-03 SCA-01 PER-05 SS-20 NSC-10

RSC-01 DRC-01 MED-03 /067 W
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R 081508Z JAN 74

FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 2312

LIMITED OFFICIAL USE SECTION 1 OF 2 CARACAS 0183/1

E.O. 11652: N/A

TAGS: CO, VE

SUBJ: PRIVILEGES AND IMMUNITIES

REF: STATE 247235 DATED DECEMBER 19, 1973

1. FOLLOWING IS A LIST OF PRIVILEGES EXTENDED TO US DIPLOMATIC PERSONNEL AND OTHER OFFICIAL REPRESENTATIVES BY GOV WHICH, IN EMBASSY'S OPINION, DIVERGE FROM THOSE EXTENDED BY USG. DEPARTMENT IS REMINDED THAT EMBASSY IS NOT FULLY ACQUAINTED WITH DETAILS OF PRIVILEGES EXTENDED BY USG TO REPRESENTATIVES OF GOV:

A. PRIVILEGES:

1. ALCOHOLIC BEVERAGES. DUTY-FREE IMPORTATION OF ALCOHOLIC BEVERAGES LIMITED TO DIPLOMATIC PERSONNEL. QUOTA ESTABLISHED BY GOV WERE FURNISHED DEPARTMENT IN CARACAS 8232 OF OCTOBER 25, 1972. ALTHOUGH CLEARING SHIPMENTS IN EXCESS OF QUOTA ON NUMBER OF OCCASIONS HAS BEEN VERY DIFFICULT, EMBASSY HAS INDUCED APPROPRIATE OFFICIALS OF GOV TO CLOSE THEIR EYES AND IGNORE QUOTA. WHILE IT WOULD BE PREFERABLE THAT OFFICIAL QUOTA BE LIFTED, EMBASSY WOULD NOT WANT TO DISTURB PRESENT UNOFFICIAL WORKING AGREEMENT WHICH, IN THE FINAL ANALYSIS, SATISFIES OUR NEEDS. IT WOULD BE MUCH EASIER, HOWEVER, IF THE RESTRICTION WERE LIFTED ON EMPLOYEES NOT HAVING DIPLOMATIC STATUS. UNDER THE PRESENT SYSTEM, ALL IMPORTATIONS ARE CHARGED TO 53 HAVING DIPLOMATIC PASSPORTS BUT SALES INCLUDE AN ADDITIONAL 106 WHO DO NOT HAVE DIPLOMATIC PRIVILEGES.

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2. CONSUL IN MARACAIBO. THE CONSUL IN MARACAIBO, WHO DOES

NOT HAVE A DIPLOMATIC TITLE, IS PERMITTED FREE ENTRY ONLY OF INITIAL SHIPMENT OF HHE AND THIS MUST BE ACCOMPLISHED IN FIRST 6 MONTHS. NEITHER IS HE PERMITTED TO IMPORT ALCOHOLIC BEVERAGES OR FOODSTUFFS.

3. AUTOMOBILES.

A. ALL PERSONNEL, INCLUDING THE AMBASSADOR, ARE RESTRICTED AS TO THE TYPE OF AUTOMOBILE THEY MAY IMPORT.

B. DUTY-FREE IMPORTED AUTOMOBILE IS LIMITED TO ONE EACH 3 YEARS PER DIPLOMAT. OTHERS PERMITTED ONLY INITIAL IMPORT - NO REIMPORTATION AND MAY NOT SELL AUTOMOBILE UPON DEPARTURE.

C. SEE CARACAS A-249 DATED MAY 23, 1973 AND DEPARTMENT A-4925 DATED JUNE 7, 1973, FOR MORE DETAILS.

4. HOUSEHOLD EFFECTS OR PERSONAL EFFECTS. THE CONSUL IN MARACAIBO AND EMBASSY PERSONNEL NOT HAVING DIPLOMATIC PASSPORTS MAY NOT IMPORT ANY REPEAT ANY DUTY-FREE ITEMS AFTER INITIAL 6 MONTHS OF TOUR.

B. GOV PROCEDURES:

1. AGAIN, THE EMBASSY WISHES TO EMPHASIZE, WHILE THE ABOVE DIVERGE FROM USG POLICIES, PERSONNEL HAVE NOT BEEN SUFFICIENTLY DISADVANTAGED SO AS TO REQUIRE A HARD LINE APPROACH BY THE DEPARTMENT WHICH MIGHT ENDANGER PRESENT WORKING RELATIONSHIPS.

2. ADMINISTRATIVE REQUIREMENTS OF GOV. HAS BECOME VOLUMINOUS, BURDENSOME AND, FRANKLY, REDICULOUS. THE PAPER REQUIREMENTS RELATED TO DUTY-FREE IMPORTS, OBTAINING DRIVERS LICENSES, DIPLOMATIC CARNETS, LICNSE PLATES, ETC., ARE SUCH THAT IT IS EXTREMELY DIFFICULT TO CARRY ON NORMAL OPERATIONS IN THE ADMINIS-TRATIVE SECTION OF THE EMBASSY. EXAMPLES ARE:

1. REQUIRE 6 MONTHS TO OBTAIN A DIPLOMATIC CARNET.

2. TAKES 2 MONTHS TO OBTAIN LICENSE PLATES FOR AUTOMOBILE
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BECAUSE THEY MUST BE REGISTERED WITH 4 MINISTRIES.

3. TAKES 6 MONTHS TO GET A DRIVER'S LICENSE.

4. REQUEST FOR FREE ENTRY MUST BE SUBMITTED IN 7 COPIES
AND EACH COPY SIGNED.

5. COPIES OF PACKING LISTS MUST BE SUBMITTED IN 7 COPIES,
IN SPANISH, WITH A COST FACTOR ASSIGNED TO EACH ITEM.
IN THE CASE OF HHE, THIS IS A TREMENDOUS JOB.

6. COMMERCIAL INVOICES MUST BE TRANSLATED TO SPANISH,
LINE BY LINE.

7. REQUESTS FOR DUTY-FREE ENTRY OF HHE AND PERSONAL AUTOMOBILE
MAY NOT BE SUBMITTED UNTIL THE EMPLOYEE IS PHYSICALLY
PRESENT IN CARACAS. THEN, HE MUST WAIT THE ONE OR TWO
MONTHS IT MAY TAKE TO CLEAR HIS EFFECTS OR AUTOMOBILE.
THIS POSES A VERY SERIOUS MORALE PROBLEM. IN THAT PEOPLE
MUST WAIT AROUND UNTIL THEY GET TO THEIR EFFECTS.

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ACTION ARA-20

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RSC-01 DRC-01 MED-03 /067 W

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R 081508Z JAN 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 2313

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8. FREE-ENTRY OF PHARMACEUTICALS ORDERED FROM US HAS BEEN
REFUSED. MINISTRY OF HEALTH CLAIMS THAT THE PHARMA-
CEUTICALS MANUFACTURED HERE ARE AS GOOD AS THOSE MANU-
FACTURED ELSEWHERE AND, THIS BEING SO, IT WILL ABSOLUTELY
NOT PERMIT
DUTY-FREE IMPORTATION.

CONCLUSION:

FROM THE ABOVE, THE DEPARTMENT CAN JUDGE THAT THE PROBLEMS ARE NOT
SO MUCH RELATED TO PRIVILEGES EXTENDED BUT TO THE ADMINISTRATIVE
PROCEDURES AND DETAIL ETC. WHICH COMPEL THE EMBASSY TO GO THROUGH
ALL KINDS OF CONTORTIONS TO GET ANYTHING ACCOMPLISHED. HOWEVER,
LEGISLATION WAS RECENTLY PASSED BY THE GOV WHICH PERMITS THE VARIOUS
MINISTRIES TO ESTABLISH THEIR OWN ADMINISTRATIVE REQUIREMENTS, FOR
EXAMPLE, VENEZUELAN CONSULAR INVOICES WILL NO LONGER BE REQUIRED
ON INCOMING SHIPMENTS. ALSO, COMMERCIAL INVOICES WILL NOT HAVE TO

BE STAMPED BY THE VENEZUELAN CONSUL AT THE SHIPPING POINT, HOWEVER,
THEY MUST BE IN SPANISH OR ACCOMPANIED BY A TRANSLATION. THESE
CHANGES
ARE TO APPEAR IN THE OFFICIAL GAZETTE IN THE NEXT FEW DAYS. ONCE THE
EMBASSY HAS OBTAINED A COPY OF THE CHANGES MADE, IT WILL BE IN A
BETTER POSITION TO COMMENT UPON THE ADMINISTRATIVE HURDLES WITH
WHICH IT IS CONFRONTED. HOPEFULLY, SOME OF THEM WILL DISAPPEAR.
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